

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ROSA FLORES, Individually and	:
on Behalf of All other persons similarly situated,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
BHRAGS HOME CARE CORP. and	:
BHRAGS, INC.,	:
	:
Defendants.	:
	X

**STIPULATION AND ORDER OF DISMISSAL**

WHEREAS, the Court stayed all proceedings in this case on the representation of counsel that a final decision in the case captioned *Coke v. Long Island Care at Home* ("Coke"), is likely to affect the outcome of this case, and

WHEREAS, in *Coke*, the United States Supreme Court upheld the U.S. Department of Labor regulation, 29 CFR §552 109(a), exempting certain companionship workers who were alleged to be in domestic service employment and paid by third party agencies, from the minimum wage and maximum hours rules of the Fair Labor Standards Act ("FLSA"); and

WHEREAS counsel for the parties have agreed to a voluntary dismissal of the case in light of the Supreme Court decision in *Coke*;

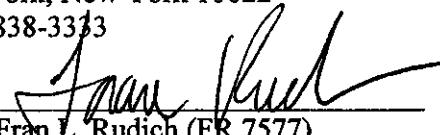
IT IS HEREBY Stipulated by and between counsel for the parties that:

1. The case shall be and hereby is DISMISSED with prejudice as to all FLSA claims finally resolved or controlled by the decision of the United States Supreme Court in *Long Island Care at Home v. Coke*, 127 S.Ct. 2339 (June 11, 2007), and DISMISSED as to all other claims asserted herein without prejudice pursuant to Fed. R. Civ. P. 41(b).

2. Each party shall bear its own costs.

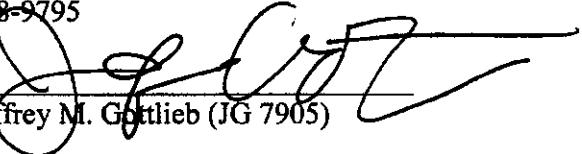
Respectfully submitted,

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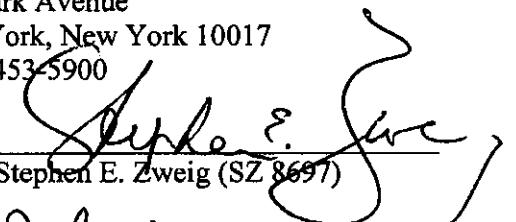
Dated: 7/30, 2007

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By:   
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Dated: 7/30, 2007

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By:   
Stephen E. Zweig (SZ 8697)

Dated: July 31, 2007

SO ORDERED:

s/ Judge Allyne R. Ross

Honorable Allyne R. Ross, U.S.D.J.

NEW YORK:48315.1